

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x
UNITED STATES OF AMERICA, :

Plaintiff, :

- v. - :

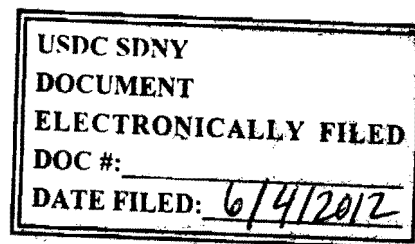
LEBANESE CANADIAN BANK SAL, et :
al., :

Defendants; :

ALL ASSETS OF LEBANESE CANADIAN :
BANK SAL OR ASSETS TRACEABLE :
THERETO, et al., :

Defendants in rem. :

- - - - -x



No. 11 Civ. 9186 (PAE)

REQUEST FOR INTERNATIONAL JUDICIAL ASSISTANCE
(LETTER ROGATORY)

The United States District Court for the Southern District of New York ("the Court") presents its greetings to the judicial authorities in the Republic of Lebanon ("Lebanon") and respectfully requests judicial assistance of the courts of Lebanon to effect service of process to be used in a civil proceeding before this Court in the above-captioned matter.

FACTS

The Plaintiff in the instant matter, the United States of America, on December 15, 2011, instituted an action that involved in rem forfeiture claims against certain property and in personam civil money laundering claims against certain defendants, including the Lebanese Canadian Bank S.A.L. ("LCB"), the Hassan Ayash Exchange Company ("Ayash") and the Ellissa Holding Company

("Ellissa"). These defendants will be provided an opportunity to challenge the claims alleged against them as part of this action.

As required by Rule 4 of the Federal Rules of Civil Procedure, service must be effected on these entities. Federal Rule of Civil Procedure 4(h) provides that service may be effected upon foreign corporations outside of the United States "in any manner prescribed by Rule 4(f) for serving an individual," except for personal delivery of a summons and complaint. In turn, Rule 4(f) provides for service "as the foreign authority directs in response to a letter rogatory or letter of request," when "there is no internationally agreed means, or if an international agreement allows but does not specify other means, by a method that is reasonably calculated to give notice[.]" Fed. R. Civ. P. 4(f)(2).

The Plaintiff in this matter has advised the Court there is no internationally agreed upon means of service between the United States and Lebanon. As such, the United States moved this Court for the issuance of a letter rogatory to effect service in accordance with Rule 4. This Court is invoking assistance from the appropriate judicial authority in Lebanon to serve process on LCB, Ellissa, and Ayash.

ASSISTANCE NEEDED

This Court requests that in the interests of justice the appropriate judicial authority of Lebanon, in accordance with the

law and procedural rules of Lebanon, service of process be effected with respect to the following documents:

(1) a certified copy of the Verified Complaint in the above-captioned action;

(2) the Summons; and

(3) Judge Engelmayer's Individual Rules of Practice,

upon the following entities:

(1) Lebanese Canadian Bank S.A.L.,

Minaa El Hosn Saint Charles
City Center
P.O. Box 11-2520 Riad El Solh
Beirut, Lebanon 1107-2110

and

Attrium Bldg - 2nd Floor
Wegand
Beirut, Lebanon

(2) The Hassan Ayash Exchange Company,

Madame Curie Street
Beirut, Lebanon

and

Hamra Street
Beirut, Lebanon

(3) Ellissa Holding Company,

Attrium Bldg - 1st Floor
Wegand
Beirut, Lebanon

For each entity served, the Court requests that the affidavits of Service of Process Form (annexed hereto as Exhibits

1-3) be completed by the person serving process. The Court further requests that the completed affidavits be returned to the United States' Central Authority, the Department of Justice, Office of International Affairs, so that the Plaintiff, the United States, may file the signed affidavits of service with this Court.

The United States District Court for the Southern District of New York appreciates the cooperation and aid received from the judicial authorities in Lebanon and is extremely grateful for the kind assistance in regard to this request.

Paul A. Engelmayer

HONORABLE PAUL A. ENGELMAYER
United States District Judge
Southern District of New York

June 1, 2012

DATE

Exhibit 1

AFFIDAVIT OF SERVICE OF PROCESS

Plaintiff: United States of America

Defendants: United States v. Lebanese Canadian Bank SAL, et al. (11 Civ. 9186)

Addressee: LEBANESE CANADIAN BANK SAL

Type: Summons and Complaint

I, _____, acting on behalf of the Government of the Republic of Lebanon pursuant to a letter rogatory from the United States, have the honor to certify, in accordance with the instructions set forth in the letter rogatory dated May __, 2012:

1. That a copy of a Verified Complaint, dated December 15, 2011, the Summons, and Judge Engelmayer's Individual Rules, have been served this ____ day of _____, 2012,

at _____
(COUNTRY, PLACE, STREET, NUMBER)

in one of the following methods (CIRCLE ONE OR MORE OPTIONS (A, B OR C), WHICHEVER IS APPLICABLE):

- a) in accordance with the instructions set forth in the letter rogatory dated May __, 2012;
- b) in accordance with a method acceptable under the laws of the Republic of Lebanon; or
- c) by delivery to the addressee who accepted it voluntarily.

The documents referred to herein have been delivered to:

(NAME AND DESCRIPTION OF PERSON RECEIVING DOCUMENTS)

(RELATIONSHIP TO ADDRESSEE, E.G., FAMILY, BUSINESS, OR OTHER)

2. That a copy of a Verified Complaint, dated December 15, 2011, the Summons, and Judge Engelmayer's Individual Rules, have not been served for the following reasons:

Signed and sworn to this ____ day of _____, 2012.

Signature of Affiant

Exhibit 2

AFFIDAVIT OF SERVICE OF PROCESS

Plaintiff: United States of America

Defendants: United States v. Lebanese Canadian Bank SAL, et al. (11 Civ. 9186)

Addressee: ELLISSA HOLDING COMPANY

Type: Summons and Complaint

I, _____, acting on behalf of the Government of the Republic of Lebanon pursuant to a letter rogatory from the United States, have the honor to certify, in accordance with the instructions set forth in the letter rogatory dated May __, 2012:

1. That a copy of a Verified Complaint, dated December 15, 2011, the Summons, and Judge Engelmayer's Individual Rules, have been served this ____ day of _____, 2012,

at _____
(COUNTRY, PLACE, STREET, NUMBER)

in one of the following methods (CIRCLE ONE OR MORE OPTIONS (A, B OR C), WHICHEVER IS APPLICABLE):

- a) in accordance with the instructions set forth in the letter rogatory dated May __, 2012;
- b) in accordance with a method acceptable under the laws of the Republic of Lebanon; or
- c) by delivery to the addressee who accepted it voluntarily.

The documents referred to herein have been delivered to:

(NAME AND DESCRIPTION OF PERSON RECEIVING DOCUMENTS)

(RELATIONSHIP TO ADDRESSEE, E.G., FAMILY, BUSINESS, OR OTHER)

2. That a copy of a Verified Complaint, dated December 15, 2011, the Summons, and Judge Engelmayer's Individual Rules, have not been served for the following reasons:

Signed and sworn to this ____ day of _____, 2012.

Signature of Affiant

Exhibit 3

AFFIDAVIT OF SERVICE OF PROCESS

Plaintiff: United States of America

Defendants: United States v. Lebanese Canadian Bank SAL, et al. (11 Civ. 9186)

Addressee: HASSAN AYASH EXCHANGE COMPANY S.A.R.L.

Type: Summons and Complaint

I, _____, acting on behalf of the Government of the Republic of Lebanon pursuant to a letter rogatory from the United States, have the honor to certify, in accordance with the instructions set forth in the letter rogatory dated May __, 2012:

1. That a copy of a Verified Complaint, dated December 15, 2011, the Summons, and Judge Engelmayer's Individual Rules, have been served this ____ day of _____, 2012,

at _____
(COUNTRY, PLACE, STREET, NUMBER)

in one of the following methods (CIRCLE ONE OR MORE OPTIONS (A, B OR C), WHICHEVER IS APPLICABLE):

- a) in accordance with the instructions set forth in the letter rogatory dated May __, 2012;
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Signed and sworn to this ____ day of _____, 2012.

Signature of Affiant